

Applicant or Patentee: Hiroshi TOMIYAMA, et al. NOV 20 2001
Serial or Patent No.: 09/425,537 Attorney's
Filed or Issued: August 10, 2001 Docket No.: TAN-293
For: NON-MUCIN TYPE SYNTHETIC COMPOUNDS OR ITS CARRIER CONJUGATED COMPOUNDS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☒ the owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Kotobuki Pharmaceutical Co., Ltd.
ADDRESS OF CONCERN 6351, Oaza-Sakaki, Sakaki-machi, Hanishina-gun,
Nagano-ken, Japan

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in

- ☐ the specification filed herewith as identified above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). Separate verified statements are required from each named person, concern or organization having rights to the invention averring their status as small entities. (37 CFR 1.27)

Each person, concern or organization having any rights in the invention is listed below:

NAME Kotobuki Pharmaceutical Co., Ltd.
ADDRESS Sakaki-machi, Nagano-ken, Japan
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION
NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Tsuyoshi Tomiyama
TITLE OF PERSON OTHER THAN OWNER President
ADDRESS OF PERSON SIGNING Sakaki-machi, Hanishina-gun, Nagano, Japan
SIGNATURE T. Tomiyama DATE Aug 24, 2001



#3

Dkt. No. TAN-293**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled
NON-MUCIN TYPE SYNTHETIC COMPOUNDS OR ITS CARRIER CONJUGATED COMPOUNDS

_____, the specification of which:

(check one) ☒ is attached hereto ☐ was filed on _____ as
Application Serial No. _____ and was amended on _____ (*if applicable*).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)
244567/2000

(NUMBER)

JAPAN

(COUNTRY)

11/08/00

(FILED D/M/Y)

Priority Claimed

☒ ☐

YES NO

☐ ☐

YES NO

☐ ☐

YES NO

☐ ☐

YES NO

☐ ☐

YES NO

☐ ☐

YES NO

☐ ☐

YES NO

(NUMBER)

(COUNTRY)

(FILED D/M/Y)

(NUMBER)

(COUNTRY)

(FILED D/M/Y)

(NUMBER)

(COUNTRY)

(FILED D/M/Y)

(NUMBER)

(COUNTRY)

(FILED D/M/Y)

(NUMBER)

(COUNTRY)

(FILED D/M/Y)

(NUMBER)

(COUNTRY)

(FILED D/M/Y)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(APPLICATION SERIAL NO.)

(FILING DATE)

(STATUS)

(APPLICATION SERIAL NO.)

(FILING DATE)

(STATUS)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Leonard W. Sherman

Reg. No. 19,636

Alan Holler

Reg. No. 29,266

Edwin A. Shalloway

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SEND CORRESPONDENCE TO:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or document or any patent issuing thereon.

Full name of sole or first inventor	Hiroshi	TOMIYAMA	
	GIVEN NAME	MIDDLE NAME	FAMILY NAME
Inventor's signature	<i>Hiroshi Tomiyama</i>		
Date of signature	<i>September 03, 2001</i>		
Residence	Sakaki-machi	Nagano-ken	Japan
	CITY	STATE OR PROVINCE	COUNTRY
Citizenship	Japanese		
Post Office Address (insert complete mailing address, including country)	1113, Oaza-Sakaki, Sakaki-machi, Hanishina-gun, Nagano-ken, Japan		
Full name of second inventor	Naoto	UEYAMA	
	GIVEN NAME	MIDDLE NAME	FAMILY NAME
Inventor's signature	<i>Naoto Ueyama</i>		
Date of signature	<i>3th Sep 2001</i>		
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Citizenship	Japanese		
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Full name of third inventor	Masahiro	YANAGIYA	
	GIVEN NAME	MIDDLE NAME	FAMILY NAME
Inventor's signature	<i>Masahiro Yanagiya</i>		
Date of signature	<i>03 Sep 2001</i>		
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	CITY	STATE OR PROVINCE	COUNTRY
Citizenship	Japanese		
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ADDITIONAL INVENTORS ARE BEING NAMED ON SEPARATELY NUMBERED SHEETS ATTACHED HERETO

ADDITIONAL INVENTORS

PAGE 3

Full name of inventor	Yasufumi		OHKURA
Inventor's signature	<i>Yasufumi</i>		<i>Ohkura</i>
Date of signature	Sep. 03. '01		
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Inventor's signature			
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Residence	CITY	STATE OR PROVINCE	COUNTRY
Citizenship			
Post Office Address (insert complete mailing address, including country)			
Full name of inventor	GIVEN NAME	MIDDLE NAME	FAMILY NAME
Inventor's signature			
Date of signature			
Residence	CITY	STATE OR PROVINCE	COUNTRY
Citizenship			
Post Office Address (insert complete mailing address, including country)			
Full name of inventor	GIVEN NAME	MIDDLE NAME	FAMILY NAME
Inventor's signature			
Date of signature			
Residence	CITY	STATE OR PROVINCE	COUNTRY
Citizenship			
Post Office Address (insert complete mailing address, including country)			